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09/764,439	01/19/2001	Kazuma Kaneko	401022	7079

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EXAMINER	
NGUYEN, LE V	
ART UNIT	**PAPER NUMBER**
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/764,439	KANEKO ET AL.	
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *3/21/07*.

2a)☒ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *6,11,12 and 14-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6,11,12 and 14-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to an amendment filed 3/21/07.

2. Claims 6, 11, 12 and 14-23 are pending in this application; and, claims 6 and 21 are independent claims. Claims 1-5, 7-10 and 13 have been cancelled; and, claims 6 and 21 have been amended.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 6, 11, 12 and 14-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et al. ("DeLorme") in view of *Inside the Java Virtual Machine* ("*Inside JVM*"), and further in view of *Essential JNI JAVA Native Interface* ("JNI").

As per claim 6, DeLorme teaches a navigation apparatus for providing navigation services comprising a platform block provided with hardware of the navigation apparatus and basic functions for controlling the hardware (col. 12, lines 3-19), a navigation application processing block for providing navigation services using the basic functions provided in the platform block (figs. 1(B-P); col. 14, lines 16-22; col. 27, lines 1-3; *GPS provides "Directions" and graphic representation of the user's progress*), an optional application processing block for providing optional services using any of the navigation services based on information acquired using the basic functions of the

platform block (figs. 1(B-P); col. 14, lines 9-22; col. 26, lines 34-43; *optional services such as providing location and/or time/date "stamps" on digital photos or providing a substitute or complement for printed travel information such as paper maps or itineraries*) and an interface processing block for communicating with the optional application processing block and said navigation application processing block so as to enable any of the optional services to be executed (figs. 1(B-P); col. 8, lines 28-67; col. 14, lines 9-22; col. 26, lines 34-43; *the navigational application processing block inherently interfacing with the optional application processing block in order to carry out user's selection*). DeLorme does not explicitly disclose code executed on a virtual platform that is platform independent. *Inside JVM* teaches the Java programming language executed on a virtual platform for networked environments that is platform independent (pages 2, 4, 23-41, 78 and 127 and 128). Therefore, it would have been obvious to an artisan at the time of the invention to include *Inside JVM*'s teaching of the Java programming language executed on a virtual platform that is platform independent to DeLorme's teaching of communicating with an application to enable optional services to be executed in order to provide users with a secure, robust, platform-independent program(s) to be delivered across networks and run on a great variety of computers and devices.

DeLorme and *Inside JVM* still do not explicitly disclose processing blocks being executed on a virtual platform, which is executable on a platform block and another platform, the processing blocks being implemented in a Native language of the platform block and being executed on the platform block. JNI teaches processing blocks being

executed on a virtual platform, which is executable on a platform block and another platform, the processing blocks being implemented in a Native language of the platform block and being executed on the platform block (pages 1-6). It would have been obvious to an artisan at the time of the invention to incorporate the teachings of JNI with the teachings of DeLorme and *Inside JVM* so that users can leverage native code, i.e. native code can be reused.

As per claim 11, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the navigation application processing block executes any of the navigation services in accordance with navigation control data supplied from the optional application processing block via the interface processing block and supplies navigation information data including an interim result or an execution result to the optional application processing block via the interface processing block (DeLorme: figs. 4A-6B; col. 14, lines 16-22; col. 49, line 51 through col. 50, line 11; col. 50, lines 45-57; col. 61, lines 12-32; col. 62, lines 45-57; col. 64, lines 50-63).

As per claim 12, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the interface processing block generates, when it is determined that the navigation control data from the optional application processing block is composite navigation control data, plural navigation control data sets from the composite navigation control data and supplies the plural navigation control data sets to the navigation application processing block (DeLorme: figs. 4A-6B; col. 14, lines 16-22; col. 49, line 51 through col. 50, line 11; col. 50, lines 45-57; col. 61, lines 12-32; col. 62,

lines 45-57; col. 64, lines 50-63; *displayed are plural navigation control data sets including route data based on computation of data obtained from the GPS receiver*).

As per claim 14, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the interface processing block communicates with the navigation application processing block using socket communication (DeLorme: figs. 1 and 4; col. 8, lines 58-67; *Inside JVM*: pages 377-388).

As per claims 15 and 16, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the interface processing block acquires a remote optional application processing block from an external source using the basic functions of the platform block only when a communication service used by the remote optional application processing block is available for use (DeLorme: figs. 1A and 2A; *depicts downloading/uploading data*).

As per claim 17, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the interface processing block displays a menu of remote optional application processing block using the basic functions of said platform block, adds to the menu the remote optional application processing block when the remote optional application processing block is acquired from the external source and starts the acquired remote optional application processing block when selected from the menu (DeLorme: figs. 1A, 1G, 1(J-L) and 2A; col. 4, lines 34-44; *displayed is a menu of remote optional application processing block such as downloaded POIs in menu form*).

As per claim 18, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein said optional application processing block

supplies a request for communication services to the interface processing block, and the interface processing block dynamically starts the requested communication services upon receipt of the request (DeLorme: figs. 1A, 1G, 1(J-L) and 2A; col. 4, lines 34-44).

As per claim 19, the modified DeLorme teaches a navigation system for providing navigation services wherein said interface processing block acquires a module for executing the requested communication services corresponding to the request when the module is not available (DeLorme: col. 23, lines 1-11).

As per claim 20, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein said optional application processing block provides collection and delivery information services using any of the navigation services, based on information acquired from a predetermined center using the basic functions of the platform block (DeLorme: col. 51, lines 1-41; col. 55, line 58 through col. 56, line 15; col. 71, lines 32-59).

Claim 21 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 11 and is therefore rejected under similar rationale.

As per claim 23, the modified DeLorme teaches a navigation apparatus for providing navigation services wherein the interface processing block includes shared variables read and written commonly, during processing, in an area where data is exchanged with the optional application processing block and, during processing, in an area where data is exchanged with the navigation application processing block, so that

the data exchanged between the optional application processing block and the navigation application processing block is exchanged using the shared variables (DeLorme: figs. 1(B-P); col. 8, lines 28-67; col. 14, lines 9-22; col. 26, lines 34-43; *a navigation apparatus including an optional application processing block and an interface processing block*; JNI: pages 49-64; *common shared variables*).

Response to Arguments

5. Applicant's arguments filed 3/21/07 have been fully considered but they are not persuasive.

Applicant argued the following:

The interface of DeLorme is not an interface process between native code and non-native code streams; Inside JVM and JNI fail to teach an interface process between native code and non-native code providing optional services; and, JNI cannot meet the requirement of the claimed invention that the interface processing block is independent of platform. Moreover, the existence of both native code and platform-independent code in the art does not amount to a teaching as to the desirability or possibility of a specific hybrid system combining both. Furthermore, one would not be motivated to modify DeLorme only in the cited respects while leaving DeLorme's navigation application implemented in native code.

The Office disagrees for the following reasons:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). While DeLorme teaches an inherent interface processing block for communicating with the native optional application processing block and the native navigation application processing block so as to enable any of the optional services to be executed (figs. 1(B-P); col. 8, lines 28-67; col. 14, lines 9-22; col. 26, lines 34-43; *the navigational application processing block inherently interfacing with the optional application processing block in order to carry out user's selection*), and *Inside JVM* inherently provides the platform independence and the information for the processing logic, a decision made by JVM designers (pages 2, 4, 23-41, 78 and 127 and 128), JNI is the interface between platform-independent code such as Java and native code. To any one well verse in the art, it would be time/cost efficient to use JNI or its equivalent to leverage/reuse a large body of native code in a Java application. The existence of JNI indicates the desirability to mix native code and platform-independent code. Moreover, JNI is necessary for Java to talk to or interface with the native code.

Conclusion

6. All claims are drawn to the same invention claimed in the parent application prior to the filing of this Continued Prosecution Application under 37 CFR 1 .53(d) and could have been finally rejected on the grounds and art of record in the next Office action. Accordingly, THIS ACTION IS MADE FINAL even though it is a first action after the

filing under 37 CFR 1 .53(d). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1 .1 36(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LVN
Patent Examiner
May 16, 2007

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